

ORDINANCE NO. 771013-G

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

(1) LOT 1, PANNEL AND GAFFIELD SUBDIVISION, LOCALLY KNOWN AS 11573 JOLLYVILLE ROAD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,

(2) A 6.058 ACRE TRACT OF LAND, SAVE AND EXCEPT A 4.5 ACRE TRACT OF LAND (1.584 ACRES TOTAL), LOCALLY KNOWN AS 6313-6415 BALCONES DRIVE AND ALSO BOUNDED BY MOPAC BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND,

(3) A 4.261-ACRE TRACT OF LAND, LOCALLY KNOWN AS 13668-13790 AND 13806-13818 U. S. HIGHWAY 183 AND ALSO BOUNDED BY LAKE CREEK PARKWAY, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

(4) EAST 64 FEET OF LOTS 16, 17 AND 18, BLOCK 1, OUTLOT 73, DIVISION D, FRUTH ADDITION, LOCALLY KNOWN AS 500-504 WEST 29TH STREET AND 2900-2904 FRUTH STREET, FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT (WEST HALF) AND "O" OFFICE DISTRICT (EAST HALF); AND,

(5) A 9.858-ACRE TRACT OF LAND, LOCALLY KNOWN AS 8321-8605 MOPAC BOULEVARD, FROM "GR" GENERAL RETAIL DISTRICT TO "DL" LIGHT INDUSTRIAL DISTRICT; AND,

(6) LOTS A AND B, TOWN AND COUNTRY VILLAGE SUBDIVISION, SECTION ONE, LOCALLY KNOWN AS 12829-12883 U. S. HIGHWAY 183 AND 12840 JOLLYVILLE ROAD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

(7) A 7.8641 ACRE TRACT OF LAND (SAVE AND EXCEPT A 25 FOOT STRIP OF "A" RESIDENCE ALONG THE WEST PROPERTY LINE BEGINNING AT THE NORTH PROPERTY LINE AND EXTENDING SOUTH FOR A DISTANCE OF 550 FEET, WHICH IS HEREBY ZONED FROM "GR" GENERAL RETAIL DISTRICT TO "A" RESIDENCE DISTRICT), LOCALLY KNOWN AS 9904-10114 NORTH I. H. 35, FROM "GR" GENERAL RETAIL DISTRICT TO "C" COMMERCIAL DISTRICT; AND,

(8) LOTS 1 THROUGH 6, SAVE AND EXCEPT A 2,500 SQUARE FOOT TRACT OF LAND, AND LOTS 14 THROUGH 19, AND THE NORTH ONE-HALF OF LOT 20, BLOCK 17, GLEN RIDGE ADDITION, LOCALLY KNOWN AS 1508 WEST 38TH STREET (CUT-OFF), 3404 CRAWFORD AVENUE AND 1509 OLD WEST 38TH STREET, FROM "O" OFFICE DISTRICT AND "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND,

(9) A 14,674.76-SQUARE-FOOT TRACT OF LAND, LOCALLY KNOWN AS 2710-2712 SOUTH LAMAR BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND,

(10) TRACT 1: LOT 1, SAVE AND EXCEPT THE WESTERNMOST 120 FEET, OBENHAUS-MATZ SUBDIVISION, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: THE WESTERNMOST 120 FEET OF LOT 1, OBENHAUS-MATZ SUBDIVISION, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT;

LOCALLY KNOWN AS 12530 U. S. HIGHWAY 183, ALSO BOUNDED BY JOLLYVILLE ROAD; AND,

(11) 48' x 124' (PART OF BLOCK 5) OUTLOT 3, DIVISION Z, ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 1403 WEST 9TH STREET (BEN PILLOW HOUSE), FROM "A" RESIDENCE DISTRICT TO "A-H" RESIDENCE-HISTORIC DISTRICT; AND,

(12) LOT 10, BLOCK 63, ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 706-708 EAST 6TH STREET, FROM "C-2" COMMERCIAL DISTRICT TO "C-2-H" COMMERCIAL-HISTORIC DISTRICT;

ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE and HEIGHT and AREA designations on the following properties as indicated.

- (1) From Interim "AA" Residence, Interim First Height and Area District to "O" Office, First Height and Area District on the property described in File C14-77-081, to-wit:

Lot 1, Pannel and Gaffield Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to a map or plat of record in Book 12, Page 84, of the Plat Records of Travis County, Texas,

locally known as 11573 Jollyville Road, in the City of Austin, Travis County, Texas.

- (2) From "A" Residence District to "O" Office District on the property described in File C14-77-096, to-wit:

A 6.058 acre tract of land, SAVE AND EXCEPT a 4.5 acre tract of land conveyed to the City of Austin by Cause No. 976, on October 24, 1973, County Court at Law No. 1; said 6.058 acre tract of land out of the James P. Davis Survey, No. 14, Travis County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe at the intersection of the West right-of-way line of the I.&G.N. Railroad with the North line of the James P. Davis Survey No. 14, said iron pipe being about 393.7 feet S 59° 51' E from the NW corner of said James P. Davis Survey;

THENCE with the North line of said James P. Davis Survey, N 59° 51' W 361 feet to an iron pin in the East line of Balcones Trail for NW corner;

THENCE with the East line of Balcones Trail, S 29° 43' W 650 feet to an iron pin for SW corner;

THENCE with the North line of a 25 acre tract, S 55° 59' E 438.94 feet to an iron pin in the West right-of-way line of the I.&G.N. Railroad for SE corner;

THENCE with the West right-of-way line of said Railroad, N 23° 17' E 684.5 feet to the PLACE OF BEGINNING,

locally known as 6313-6415 Balcones Drive, also bounded by MoPac Boulevard, in the City of Austin, Travis County, Texas.

- (3) From Interim "AA" Residence, Interim First Height and Area District to "GR" General Retail, First Height and Area District on the property described in File C14-77-103, to-wit: .

A 4.261 acre tract of land being comprised of a 1.606 acre tract of land a 2.655 acre tract of land, and being more particularly described by metes and bounds as follows:

A 1.606 acre tract of land out of the William Frampton Survey, Abstract No. 230, in Williamson County, Texas, said 1.606 acre tract of land conveyed to Anderson Mill Joint Venture, as recorded in Volume 579 at Page 672 of the Williamson County Deed Records, and being more particularly described as follows:

BEGINNING at a point in the West right of way line of U. S. Highway 183, said point also being the Northeast corner of the above mentioned Anderson Mill Joint Venture Tract, the Northeast corner of the tract herein being described, and the Southeast corner of Pecan Park, a subdivision as recorded in Book 2 at Page 120 of the Williamson County Plat Records;

THENCE along the West right of way line of U. S. Highway 183 and the East line of the said Anderson Mill Joint Venture Tract, S 16° 21' E, a distance of 350.00 feet to a point, said point being in the North line of Lot 1, Block "A" of Anderson Mill H.E.B., a subdivision as recorded in Book 10 at Pages 5 and 6 of the Williamson County Plat Records;

THENCE along the North line of the above mentioned Lot 1, Block "A", S 71° 49' W a distance of 200.10 feet to a point, said point being in the City Limits Line of the City of Austin;

THENCE along the City Limits Line of the City of Austin, said line also being the West line of the tract herein being described, N 16° 21' W, a distance of 349.59 feet to a point in the South line of the aforementioned Pecan Park subdivision, said line also being the North line of the aforementioned Anderson Mill Joint Venture and of the tract herein being described;

THENCE with the South line of the above mentioned Pecan Park subdivision, said line also being the North line of the tract herein being described, N 71° 42' E a distance of 200.12 feet to the Point of Beginning; and,

A 2.655 acre tract of land out of the William Frampton Survey, Abstract No. 230, in Williamson County, Texas, said 2.655 acre tract of land being out of and a part of Lot 1, Block "A" of Anderson Mill Center, Phase One, a subdivision as recorded in Book 11, at Pages 30 and 31 of the Williamson County Plat Records, and being more particularly described as follows:

BEGINNING at a point in the West right of way line of U. S. Highway 183, said point also being in the East line of the above mentioned Lot 1, Block "A";

THENCE along the West right of way line of said U. S. Highway 183 and the East line of said Lot 1, Block "A", S 18° 11' E, a distance of 564.14 feet to a point;

THENCE 23.66 feet along the arc of a curve to the right, said curve having a radius of 15.00 feet and a chord which bears S 27° 01' W, a distance of 21.28 feet to a point in the North right of way line of Lake Creek Parkway, said point also being in the South line of the above mentioned Lot 1, Block "A";

THENCE along the North right of way line of said Lake Creek Parkway and the South line of said Lot 1, Block "A", S 72° 12' W a distance of 184.90 feet to a point, said point being in the City Limits Line of the City of Austin;

THENCE along the City Limits Line of the City of Austin, said line also being the West line of the tract herein being described, N 18° 11' W a distance of 577.90 feet to a point in the North of the above mentioned Lot 1, Block "A";

THENCE along the North line of said Lot 1, Block "A", N 71° 49' E, a distance of 200.00 feet to the POINT OF BEGINNING,

locally known as 13768-13790 and 13806-13818 U. S. Highway 183, also bounded by Lake Creek Parkway, in the City of Austin, Travis County, Texas.

- (4) From "B" Residence District to "C" Commercial District (West Half) and "O" Office District (East Half) on the property described in File C14-77-104, to-wit:

The west one-half of the east 64 feet of Lots 16, 17, and 18, Block 1, Outlot 73, Division D, Fruth Addition, is hereby zoned from "B" Residence District to "C" Commercial District, AND the east one-half of the east 64 feet of Lots 16, 17, and 18, Block 1, Outlot 73, Division D, Fruth Addition, is hereby zoned from "B" Residence District to "O" Office District; said east 64 feet of Lots 16, 17, and 18, Block 1, Outlot 73, Division D, Fruth Addition, a subdivision in the City of Austin, Travis County, Texas, according to a map or deed of record in Volume 3482, at Page 1583, of the Deed Records of Travis County, Texas,

locally known as 500-504 West 29th Street and 2900-2904 Fruth Street, in the City of Austin, Travis County, Texas.

- (5) From "GR" General Retail District to "DL" Light Industrial District on the property described in File C14-77-105, to-wit:

A 6.904-acre tract of land out of the James P. Wallace Survey No. 18 in Travis County, Texas, which tract of land containing 6.904 acres is more particularly described by metes and bounds as follows:

BEGINNING at an iron stake found in the east line of Balcones Trail at the northwest corner of the Wayne Moore Subdivision, according to a plat of record in Book 56, at Page 36, Plat Records of Travis County, Texas;

THENCE with the east line of Balcones Trail, N 18° 07' E 544.11 feet to an iron stake set;

THENCE S 60° 38' E 574.74 feet to an iron stake in the west line of the Missouri Pacific Railroad;

THENCE with a fence along the west line of the Missouri Pacific Railroad, S 20° 27' W 504.18 feet to an iron stake set for the northeast corner of the said Wayne Moore Subdivision.

THENCE with the north line of the Wayne Moore Subdivision, N 60° 38' W 552.32 feet to the Point of Beginning; and,

A 6.904-acre tract of land, SAVE AND EXCEPT a 3.95-acre tract of land hereinbelow described, said 6.904-acre tract of land being out of the James P. Wallace Survey No. 18 in Travis County, Texas, which tract of land containing 6.904 acres is more particularly described by metes and bounds as follows:

BEGINNING at an iron stake set in the East line of Balcones Trail and from which iron stake an iron stake found at the northwest corner of Wayne Moore Subdivision, according to a plat of record in Book 56, at Page 36, Plat Records of Travis County, Texas, bears S 18° 07' W 544.11 feet;

THENCE with the East line of Balcones Trail, N 18° 07' E 159.85 feet to a 60d nail, N 18° 25' E 101.70 feet to a 60d nail; N 23° 42' E 52.77 feet to a 60d nail, and N 27° 29' E 216.92 feet to a 60d nail in a corner fence post at the southwest corner of an asphalt parking lot and from which nail a cross in top of a concrete post at the southwest corner of Lot 1 of Westover Hills Plaza, a subdivision of record in Book 18, at Page 60, Plat of Records of Travis County, Texas, bears N 27° 29' E 81.09 feet;

THENCE with a fence, S 59° 51' E 556.17 feet to an iron stake set; and from which iron stake a cross in top of a concrete post at the southeast corner of Lot 2, of said Westover Hills Plaza bears N 20° 27' E 87.25 feet;

THENCE with a fence along the west line of the Missouri Pacific Railroad, S 20° 27' W 525.14 feet to an iron stake set;

THENCE N 60° 38' W 552.32 feet to the Point of Beginning; and,

SAVE AND EXCEPT a 3.95-acre tract of land, same being out of and a part of that certain 13.808-acre tract of land out of the James P. Wallace Survey in the City of Austin, Travis County, Texas, which 13.808-acre tract of land was conveyed by Richard Dorrell, Trustee, to the City of Austin on February 3, 1975, said 3.95-acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at the northwest corner of the herein described tract of land, same being the northwest corner of said Dorrell tract of land, same also being a point in the East line of Balcones Drive, which point of beginning is in a fence, and from which point of beginning the southwest corner of Lot 1, Westover Hills Plaza, a subdivision of record in Book 18, at Page 60, of the Plat of Records of Travis County, Texas, bears N 26° 56' E 81.09 feet;

THENCE with the North line, as fenced, of said Dorrell tract of land S 60° 25' E 123.80 feet to the northeast corner of the herein described tract of land, same being a point in the proposed east right-of-way line of Mo-Pac Boulevard, same being a line one hundred and fifty (150.00) feet east of and parallel to the reference line of Mo-Pac Boulevard as shown in the records of the Department of Engineering of the City of Austin;

THENCE with said proposed East right-of-way line of Mo-Pac Boulevard, same being said line one hundred and fifty (150.00) feet east of and parallel to the reference line of Mo-Pac Boulevard, S 17° 18' W 1,081.35 feet to a steel pin at the southeast corner of the herein described tract of land, same being a point in the south line, as fenced, of said Dorrell tract of land, same being the north line of Wayne Moore Subdivision, a subdivision of record in Book 56, at Page 36 of the Plat of Records of Travis County, Texas, to POINT OF BEGINNING,

locally known as 8321-8605 Mo-Pac Boulevard, in the City of Austin, Travis County, Texas.

- (6) From Interim "AA" Residence, Interim First Height and Area District to "GR" General Retail, First Height and Area District on property described in File C14-77-109, to-wit:

Lots A and B, Town and Country Village Subdivision, Section One, a subdivision in the City of Austin, Travis County, Texas, according to a map or plat of record in Book 11, at Page 82, of the Plat of Records of Travis County, Texas,

locally known as 12829-12883 U. S. Highway 183 and 12840 Jollyville Road, in the City of Austin, Travis County, Texas.

- (7) FROM "GR" General Retail District to "C" Commercial District and "A" Residence District on the property described in File C14-77-110, to-wit:

A 7.8641-acre tract of land, (SAVE AND EXCEPT a 25-foot-strip of "A" Residence along the West property line beginning at the North property line and extending South for a distance of 550 feet, which is hereby zoned from "GR" General Retail District to "A" Residence District); said 7.8641-acre tract of land, being out of the John Applegait Survey situated in Travis County, Texas, and being a 4.278 acre tract as conveyed to John Joseph by the Superior Home Builders of Texas as recorded in Volume 1445, at Page 122, of the Deed Records of Travis County, Texas, and a portion of a 8.63 acre tract as conveyed to John Joseph by J. H. Freeman as recorded in Volume 1540, at Page 151, of the Deed Records of Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin found for the northwest corner of a 4.278 acre tract as conveyed to John Joseph by the Superior Home Builders of Texas, as recorded in Volume 1445 at Page 122, of the Deed Records of Travis County, Texas, said point being on the east line of a 187.7 acre tract as conveyed to Ted Wendlandt by deed recorded in Volume 1036, at Page 245, of the Deed Records of Travis County, Texas, said point being the northwest corner of this tract;

THENCE along the south line of a 1.044 acre O. B. Kelly Tract, S 69° 06' 39" E for 309.30 feet to an iron pin found on the west right-of-way line of Interstate Highway 35 for the northeast corner of this tract and being the northeast corner of said 4.278 acre John Joseph Tract;

THENCE along the west right-of-way line of said Interstate Highway 35, S 29° 09' W at 627.70 feet pass an iron pin set for the southeast corner of said 4.278 acre John Joseph Tract, and being the northeast corner of a 8.63 acre John Joseph Tract as recorded in Volume 1540, at Page 151, of the Deed Records of Travis County, Texas, for a total distance of 1,125.27 feet to an iron pin found for the southeast corner of this tract, said point being the northeast corner of a 2.518 acre tract as recorded in Volume 2674, at Page 79, of the Deed Records of Travis County, Texas;

THENCE N 60° 48' 26" W for 312.87 feet to an iron pin found for the southwest corner of this tract and being on the west line of said 8.63 acre John Joseph Tract, said point being the northwest corner of said 2.518 acre tract;

THENCE N 29° 15' 07" E at 501.63 feet pass an iron pin set for the northwest corner of said 8.63 acre John Joseph tract and being the southwest corner of said 4.278 acre John Joseph tract, for a total distance of 534.97 feet to an iron pin found for the southeast corner of said Ted Wendlandt Tract;

THENCE along the west line of said 4.278 acre John Joseph Tract, N 29° 45' 42" E for 545.66 feet to the POINT OF BEGINNING,

locally known as 9904-10114 North Interstate Highway 35, in the city of Austin, Travis County, Texas.

- (8) From "O" Office District and "A" Residence District to "GR" General Retail District on property described in File C14-77-111, to-wit:

Lots 1 through 6, SAVE AND EXCEPT a 2,500-square-foot tract of land, currently zoned "C-2" Commercial District, and being described by metes and bounds in Ordinance No. 730424-F, and Lots 14 through 19 and the north one-half of Lot 20, Block 17, Glen Ridge Addition, a subdivision in the City of Austin, according to a map or plat of record in Book 1, at Page 65 of the Plat Records of Travis County, Texas,

locally known as 1508 West 35th Street (cut-off), 3404 Crawford Avenue, and 1509 Old West 38th Street, in the City of Austin, Travis County, Texas.

- (9) From "C" Commercial District to "C-2" Commercial District on the property described in File C14-77-113, to-wit:

14,674.76 square feet of land, more or less, out of Block "J" in Barton Hills, Section 1, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of said subdivision of record in Book 7, Page 106, of the Travis County Plat Records, more particularly described as follows:

BEGINNING at a concrete monument in the north line of South Lamar Boulevard at the southeast corner of Block J for the southeast corner of this tract;

THENCE with the north line of South Lamar Boulevard and the south line of Block "J", S 51° 10' W a distance of 50.09 feet to a concrete monument at the angle point in Block "J" for angle point of this tract;

THENCE continuing with the north line of South Lamar Boulevard and the south line of Block J, S 56° 51' W a distance of 60.0 feet to stake for the southwest corner of this tract;

THENCE N 38° 53' W a distance of 142.72 feet to stake for the northwest corner of this tract;

THENCE N 51° 10' E a distance of 90.0 feet to a stake in the east line of Block J and the west line of Rathbone tract for the northeast corner of this tract;

THENCE with the east line of Block J, S 46° 28' E a distance of 150.0 feet to the PLACE OF BEGINNING;

And being the same tract of land described in a deed from Knoll Springs, Inc. to U-Tote'M of Austin, Inc., dated July 21, 1959, recorded in Volume 2087, Page 159, of the Travis County Deed Records,

locally known as 2710-2712 South Lamar Boulevard, in the City of Austin, Travis County, Texas.

- (10) TRACT 1: From Interim "AA" Residence, Interim First Height and Area District to "GR" General Retail, First Height and Area District on the property described in File C14-77-101, to-wit:

Lot 1, Obenhaus-Matz Subdivision, SAVE AND EXCEPT the westernmost 120 feet, a subdivision in the City of Austin, Travis County, Texas, according to a map or deed of record in Volume 3800, at Page 265, of the Deed Records of Travis County, Texas; and,

- TRACT 2: From Interim "AA" Residence, Interim First Height and Area District to "O" Office, First Height and Area District on the property described in File C14-77-101, to-wit:

The westernmost 120 feet of Lot 1, Obenhaus-Matz Subdivision, a subdivision in the city of Austin, Travis County, Texas, according to a map or deed of record in Volume 3800, at Page 265, of the Deed Records of Travis County, Texas,

locally known as 12530 U. S. Highway 183, also bounded by Jollyville Road, in the City of Austin, Travis County, Texas.

- (11) From "A" Residence District to "A-H" Residence-Historic District on the property described in File C14h-77-030, to-wit:

48' x 124' (part of Block 5) Outlot 3, Division Z, Original City of Austin, recorded in Volume 4798, at Page 2077 in the Deed Records of Travis County, Texas,

locally known as 1403 West 9th Street (Ben Pillow House), in the City of Austin, Travis County, Texas.

- (12) From "C-2" Commercial District to "C-2-H" Commercial-Historic District on the property described in File C14h-77-032, to-wit:

Lot 10, Block 63, Original City of Austin, recorded in Volume 5843, at Page 937, in the Deed Records of Travis County, Texas,

locally known as 706-708 East 6th Street (Walton-Joseph Building) in the City of Austin, Travis County, Texas.

PART 2. It is hereby ordered that the USE and HEIGHT and AREA maps accompanying Chapter 45 of the Austin City Code of 1967 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

PART 3. The rule requiring that ordinances shall be read on three separate days is hereby suspended, and this ordinance shall become effective ten (10) days following the date of its passage.

PASSED AND APPROVED

October 13, 1977

APPROVED:

City Attorney

ATTEST:

City Clerk

13OCT77

JM:dc